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9 Attorneys for Plaintiff

10  
11 UNITED STATES DISTRICT COURT  
12 NORTHERN DISTRICT OF CALIFORNIA  
13 SAN JOSE DIVISION

14 UNITED STATES OF AMERICA, )  
15 )  
Plaintiff, )  
16 )  
v. )  
17 )  
DAVID FOLEY, )  
18 )  
Defendant. )  
19 )  
20 )

No. CR 11-00554 EJD  
CR 09-00670 EJD

STIPULATION AND ~~PROPOSED~~  
ORDER CONTINUING CONTINUING  
STATUS CONFERENCE FROM AUGUST  
27, 2012 TO OCTOBER 1, 2012

21 The undersigned parties respectfully request that the status hearing currently set for  
22 August 27, 2012 be continued to October 1, 2012 at 1:30 p.m. On or about June 11, 2012, the  
23 parties participated in a settlement conference with United States Magistrate Judge Nathaniel  
24 Cousins. In that Settlement Conference, defense counsel and defendant raised several issues that  
25 the government needed to investigate further. The government has not as yet completed its  
26 investigation into these outstanding issues. Resolution of these issues may impact defendant's  
27 sentencing. Therefore, the parties respectfully request that the Court continue the currently  
28 scheduled status conference from August 27, 2012 to October 1, 2012 to provide additional time

1 for the government to complete its investigation and discuss the outstanding issues with defense  
2 counsel.

3  
4 SO STIPULATED:

MELINDA HAAG  
United States Attorney

5 DATED: 8/7/12

/s/  
SUSAN KNIGHT  
HANLEY CHEW  
Assistant United States Attorneys


8 DATED: 8/7/12

/s/  
BENJAMIN LABAN SINGER  
Counsel for Mr. Foley

11 **ORDER**

12  
13 Accordingly, for good cause shown, the Court HEREBY ORDERS that the status conference  
14 currently scheduled for August 27, 2012 be continued to October 1, 2012.  
15 Time is excluded from August 27, 2012 through October 1, 2012 based on Government's continued  
investigation.  
IT IS SO ORDERED.

16  
17 DATED: August 8, 2012

  
HONORABLE EDWARD J. DAVILA  
United States District Judge